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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 BRENDA L. DAVIS,

12 Plaintiff,

13 v.

14 MICHAEL J. ASTRUE, Commissioner of
15 Social Security Administration,

16 Defendant.

Case No. C08-5604 RJB

ORDER ADOPTING
AMENDED REPORT AND
RECOMMENDATION

17 The Court, having reviewed the Amended Report and Recommendation of Magistrate Judge J.
18 Kelley Arnold (Dkt. 14), and the remaining record, does hereby find and ORDER:

- 19 (1) The Court adopts the Amended Report and Recommendation (Dkt. 14);
20 (2) The ALJ failed to properly assess plaintiff's fibromyalgia and the medical evidence. The
21 matter is **REMANDED** to the administration for further proceeding in a manner consistent
22 with the report and recommendation.
23 (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants, and to
24 the Hon. J. Kelley Arnold.

25 DATED this 30th day of March, 2009.

26 
27 ROBERT J. BRYAN
28 United States District Judge